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09/630,659	08/01/2000	Takeshi Misawa	1982-0155P	6231

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EXAMINER	
NGUYEN, LUONG TRUNG	
ART UNIT	**PAPER NUMBER**
2622	

DATE MAILED: 06/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/630,659	MISAWA, TAKESHI	
	Examiner	Art Unit	
	LUONG T. NGUYEN	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 April 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-36* is/are pending in the application.

4a) Of the above claim(s) *8,13,17 and 21* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-7,9-12,14-16,18-20,22-36* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *5/31/06*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/19/2006 has been entered.

Election/Restrictions

2. Applicant's election of Species I, illustrated in Figs. 1A-8B and 15, which reads on claims 1-7, 9-12, 14-20 in the reply filed on 5/17/2004 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

3. Claims 8, 13 and 21 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected Species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 5/17/2004.

4. Claim 17 is withdrawn from consideration by the Examiner because claim 17 recites the limitation "a second display device" and "the step of displaying range information includes

displaying the main image on one display device and the sub-image on the other display device," which read on Figure 9B (Species II). Species II is a non-elected Species. Therefore, claim 17 is withdrawn from consideration by the Examiner.

Response to Arguments

5. Applicant's arguments with respect to claims 1-7, 9-12, 14-16, 18-20 and 22-24 filed on 4/19/2006 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 1, 5-7, 9-10, 14, 16, 18-19, 22-26, 31-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bernhardt et al. (US 6,496,208) in view of Tanaka (US 5,253,338) further in view of Tsuruta (US 5,754,230).

Regarding claim 1, Bernhardt et al. discloses an image display apparatus, comprising:

(a) a memory device having circuitry disposed therein for electronic storage and retrieval of information (system memory 122, figure 6, column 7, line 43 through column 8, line 14);

(b) a display device having a display panel and circuitry for electronically displaying information on the display panel (monitor 147, figure 6, column 8, line 25-28);

(c) a display control device (processing unit 121, figure 6, column 8, lines 20-30) electronically connected to the memory device and the display device, the display control device having electronic program logic, which when information is stored in the memory device representing an image, is operable for causing display control device to retrieve the stored information and display a portion of the image (portion 40, figure 5) represented by the stored information as a main image (main image 18b, figure 5) on the display panel and range information (portion 40 on entire image 18, figure 5) indicating the portion of the image displayed relation to an entire image represented by the stored information, and further wherein both the main image and the entire image are displayed in an area contained within the display panel (figure 5) .

Bernhardt et al. fails to specifically disclose wherein the entire image is superimposed on the main image display. However, Tanaka teaches that the display screen as shown in figure 5 is similar to the display screen as shown in figure 4, except for the manner in which the auxiliary view port 46 is opened as the sub-window in the main view port 41 (the auxiliary view port 46 is superimposed on the main view port 41), see figure 5, column 7, lines 45-65. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Bernhardt et al. by the teaching of Tanaka in order to obtain more space on display screen for displaying more information.

Bernhardt et al. and Tanaka fail to specifically disclose the display panel having a size appropriate for incorporation with a portable camera. However Tsuruta teaches a video camera includes viewfinder on which a wide angle picture superimposes on a standard picture (figures 5, 7, column 3, lines 20-33, lines 50-58). Therefore, it would have been obvious to one of ordinary

skill in the art at the time the invention was made to modify the device in Bernhardt et al. and Tanaka by the teaching of Tsuruta in order to allows a cameraman confirms the situation of the picture picked-up more satisfactorily (column 3, lines 55-58).

Regarding claim 5, Bernhardt et al. fails to specifically disclose said range information comprises a sub-image on the display panel of the entire image, superposed over a section of the main image. However, Tanaka teaches window 44 (range information) comprises auxiliary view port 46 (sub-image) displayed on display screen 40, the auxiliary view port 46 is superposed over a section of the main view port 41 (main image), see figure 5, column 7, lines 45-65). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Bernhardt et al. by the teaching of Tanaka in order to allow the a user view a main image and a section of a main image displayed on the same window at the same time.

Regarding claim 6, Tanaka discloses a border (window 44, figure 5) around the sub-image, as a boundary separating the sub-image from the main image.

Regarding claim 7, Bernhardt et al. does not disclose the display control device displays the sub-image having at least one of saturation, lightness, and hue range different from that of the main image. However, Tanaka discloses the auxiliary view port 46 superposed on main view port 41 (figure 5). It would have been obvious to have the hue range of these two images different from each other in order to allow the user easily recognizes a desired portion.

Regarding claim 9, Bernhardt et al. discloses a designation device (input devices, figure 6, column 8, lines 17-30), a magnification size (a thumb portion 40 of the tree 18 is displayed full sized represented by portion 18a on window 30, figure 4, column 4, lines 51-65).

Regarding claim 10, Bernhardt et al. discloses wherein said stored information was read from an information storage medium and stored in said memory device (column 4, lines 10-13).

Claim 14 is a method claim of apparatus claim 1, therefore, see Examiner's comments regarding claim 1.

Regarding claim 16, Bernhardt et al. discloses displaying the range information as a sub-image (thumbnail window 31, figure 4), which is smaller than the main image (full size representation of portion 18a displayed on window 30, figure 4), wherein the sub-image displays the entire image that the stored information represents, sized to fit within the sub-image (figure 4, column 4, lines 51-67).

Regarding claim 18, claim 18 is a method claim of apparatus claim 9, therefore, see examiner's comments given in claim 9.

Regarding claim 19, Bernhardt et al. discloses the step of displaying an image represented by image information read from an information storage medium and stored in

said memory device (column 4, lines 10-13).

Regarding claim 22, Bernhardt et al. discloses a designation device (input devices, figure 6, column 8, lines 17-30) functionally coupled to the display control device, for controlling what portion of the image is displayed.

Regarding claim 23, Bernhardt et al. discloses the controlling includes specifying the magnification of the displayed image (a thumb portion 40 of the tree 18 is displayed full sized represented by portion 18a on window 30, figure 4, column 4, lines 51-65).

Regarding claim 24, Bernhardt et al. discloses the controlling includes specifying the portion of the image to the displayed (portion 40, figures 4, 5).

Regarding claims 25, 31, Bernhardt et al. discloses wherein the display control device causes the display to successively switch states, wherein the states include one of displaying only the portion of the image on the display, displaying only the entire image on the display, and simultaneously displaying both the portion of the image and the entire image on the display (figure 5).

Regarding claims 26, 32, Bernhardt et al. discloses wherein the display control device causes the display to switch to a state displaying a set up image enabling the alteration of at least one of image acquisition parameters and device control parameters (figure 5).

8. Claims 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bernhardt et al. (US 6,496,208) in view of Tanaka (US 5,253,338) and Tsuruta (US 5,754,230) further in view of Bullock et al. (US 5,943,050).

Regarding claim 2, Bernhardt et al., Tanaka and Tsuruta fail to specifically disclose the stored information in said memory device is image information outputted from a photography device, wherein the photography device produces the image information from optical information. However, Bullock et al. teaches the image captured by digital camera 118 (photography device) is stored on the memory of the notebook personal computer 100 (figure 1, column 5, lines 22-30, column 6, lines 1-4). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Bernhardt et al., Tanaka and Tsuruta by the teaching of Bullock et al. in order to provide an intuitive, object-oriented user interface to control an image capture device (column 1, lines 44-46).

Regarding claim 3, Bernhardt et al., Tanaka and Tsuruta fail to specifically disclose the stored information in said memory device is image information acquired by communication with another device. However, Bullock et al. teaches the image captured by digital camera 118 (photography device) is stored on the memory of the notebook personal computer 100 (figure 1, column 5, lines 22-30, column 6, lines 1-4). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Bernhardt et al., Tanaka and Tsuruta by the teaching of Bullock et al. in order to provide an intuitive, object-oriented user interface to control an image capture device (column 1, lines 44-46).

9. Claims 4, 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bernhardt et al. (US 6,496,208) in view of Tanaka (US 5,253,338) and Tsuruta (US 5,754,230) further in view of Chiba et al. (US 5,589,960).

Regarding claims 4 and 15, Bernhardt et al., Tanaka and Tsuruta fail to specifically disclose the display device comprises a transmission type dot matrix display. However, Chiba et al. discloses a liquid crystal display system, in which a dot-matrix type transmission liquid crystal display device is employed as a display means in the head-up display system (column 1, lines 15-34). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Bernhardt et al., Tanaka and Tsuruta by the teaching of Chiba et al. in order to provide a display sufficiently high in contrast (column 1, lines 30-34).

10. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bernhardt et al. (US 6,496,208) in view of Tanaka (US 5,253,338) and Tsuruta (US 5,754,230) further in view Ejima (US 2002/0024608).

Regarding claim 11, Bernhardt et al., Tanaka and Tsuruta fail to specifically disclose an index image in which a plurality of images are arranged in matrix format, and said electronic program logic displays as said main image, any one image of the plurality of images. However, Ejima et al. discloses an information processing apparatus, which forms the plurality of index images as shown in figures 12, 14, and can display a selected image as shown in figures 16(A)-16(D). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Bernhardt et al., Tanaka and Tsuruta by the teaching

of Ejima et al. in order to display a plurality of images on the display. This allows a user can view and select a desired image to be enlarged.

11. Claim 12, 20, 30, 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hamamura et al. (US 6,567,120) in view of Bernhardt et al. (US 6,496,208) further in view of Tsuruta (US 5,54,230).

Regarding claim 12, Hamamura et al. discloses an apparatus for photographic imagery, the apparatus comprising:

(a) a photography device (electronic camera 1, figures 1-6, column 5, lines 5-10) operable for receiving an optical image and producing electronic image information representative of the optical image;

(b) an image display device electronically connected and directly attached to the photography device (frame memory 35 and LCD 6, figures 2, 4, 6, column 6, lines 25-35), the image display device including:

(i) a memory device having circuitry disposed therein for electronic storage and retrieval of information (frame memory 35, figures 2, 4, 6, column 6, lines 25-35);

(ii) a display device having a display panel and circuitry for electronically displaying information on the display panel (LCD 6, figures 2, 4, 6, column 6, lines 25-35);

(iii) a display control device (CPU 39, figure 6, column 13, lines 54-65) electronically connected to the memory device and the display device, wherein said stored information is data selected from the group consisting of electronic image information outputted from said photography device and image information read from an information storage medium (column

13, lines 54-65), wherein the display control device provides a mode wherein image acquisition parameters are simultaneously displayed with the image (the user can select the color of line iamge indicated on the LCD 6 from among the colors black, white, red, blue by operating the pallet 100, which corresponds to a mode wherein image acquisition parameters are simultaneously displayed with the image, figure 14, 17, column 12, lines 23-27).

Hamamura et al. fails to specifically disclose the display control device having electronic program logic, which when information is stored in the memory device representing an image, is operable for causing display control device to retrieve the stored information and display a portion of the image represented by the stored information as a main image on the display panel and range information indicating the portion of the image displayed relation to the entire image represented by the stored information, wherein both the main image and the entire image are displayed in an area contained within the display panel.

However, Bernhardt et al. teaches an apparatus for displaying data, which discloses a display control device (processing unit 121, figure 6, column 8, lines 20-30) electronically connected to the memory device and the display device, the display control device having electronic program logic, which when information is stored in the memory device representing an image, is operable for causing display control device to retrieve the stored information and display a portion of the image (portion 40, figure 5) represented by the stored information as a main image (main image 18b, figure 5) on the display panel and range information (portion 40 on entire image 18, figure 5) indicating the portion of the image displayed relation to the entire image represented by the stored information, wherein both the main image and the entire image are displayed in an area contained within the display panel (figure 5).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Haramura et al. by the teaching of Bernhardt et al. in order to display an entire image and an enlarge portion of the entire image on the display. This allows a user can view and select a desired image to be enlarged.

Haramura et al. and Bernhardt et al. fail to specifically disclose the display panel having a size appropriate for incorporation with a portable camera. However Tsuruta teaches a video camera includes viewfinder on which a wide angle picture superimposes on a standard picture (figures 5, 7, column 3, lines 20-33, lines 50-58). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Haramura et al. and Bernhardt et al. by the teaching of Tsuruta in order to allows a cameraman confirms the situation of the picture picked-up more satisfactorily (column 3, lines 55-58).

Regarding claim 20, claim 20 is a method claim of apparatus claim 12, therefore, see Examiner's comments regarding claim 12.

Regarding claims 30, 36, Bernhardt et al. discloses wherein the portion of the image and the entire image are simultaneously displayed in a non-overlapping manner, and in a region of the display wherein no image is displayed, information regarding image acquisition or control parameters is displayed (figure 5).

12. Claim 27-29, 33-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hamamura et al. (US 6,567,120) in view of Bernhardt et al. (US 6,496,208) and Tsuruta (US 5,54,230) further in view of Tanaka (US 5,253,338).

Regarding claims 27, 33, Hamamura and Bernhardt et al. fail to specifically disclose wherein the entire image is superimposed on the main image. However, Tanaka teaches that the display screen as shown in figure 5 is similar to the display screen as shown in figure 4, except for the manner in which the auxiliary view port 46 is opened as the sub-window in the main view port 41 (the auxiliary view port 46 is superimposed on the main view port 41), see figure 5, column 7, lines 45-65. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Hamamura and Bernhardt et al. by the teaching of Tanaka in order to obtain more space on display screen for displaying more information.

Regarding claims 28, 34, Bernhardt et al. discloses wherein the display control device causes the display to successively switch states, wherein the states include one of displaying only the portion of the image on the display, displaying only the entire image on the display, and simultaneously displaying both the portion of the image and the entire image on the display (figure 5).

Regarding claims 29, 35, Bernhardt et al. discloses wherein the display control device causes the display to switch to a state displaying a set up image enabling the alteration of at least one of image acquisition parameters and device control parameters (figure 5).

Conclusion

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to LUONG T. NGUYEN whose telephone number is (571) 272-7315. The examiner can normally be reached on 7:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DAVID L. OMETZ can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LN
06/15/06

LUONG T. NGUYEN
PATENT EXAMINER